APPENDIX A

EXCERPTS OF DEPOSITION OF DR. MICHAEL MOODY TAKEN ON SEPTEMBER 29, 2004:

Q: Has there been any informal review of any of the physician consultants?

A: There is an on-going review by me in any and all of the cases that I see. Then I review the rationales, the work of the physicians to reassure myself that the physician's decisions and rationales are consistent with generally accepted professional standards.

Q: Well, how many cases do you get to see, let's say on a quarterly basis?

A: I'm not sure. It's a very small number. Although my instructions to the review staff is that if at any time there's a case that comes through that may look questionable, that that case should be referred to me. And that does not happen on any regular basis.

Q: How many cases over the last five years that this program -- approximately five years that this program has been in existence, have cases been referred to you for that reason?

A: None.

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Q: Let me go back to something. Dr. Moody, we've noticed in connection with much of what is gone on in the last couple of years, that in connection with all of the letters that go out, your name appears on at least most of those that we have seen -- all of those that we have seen. Is it your name that appears on all of the letters that go out, that is, to the providers and to the recipients?

A: In the CHMS program --

Q: In the CHMS program.

A: I think my name is on -- certainly on all the reconsideration letters.

Q: Okay. How about the original letters, do you know?

A: If there is a letter that has a denial with a rationale, then my name should be on that letter, yes.

Q: Do any go out with Dr. Tinsman's name, do you know?

A: Not to my knowledge. Specific to CHMS?

Q: Right. I'm only talking about CHMS now.

A: Yes.

Q: Just because your name is on it doesn't mean that you have read it, does it?

A: No. It's a computer generated signature.